> "Petitioner's discharge was invalid, because it violated Regulations of the Department of State which were binding on the Secretary; and the judgment is reversed."

Said Petitioner's Motion for Summary Judgment together with his amended complaint preclude a finding that the alleged procedural steps were following in the removal action. Petitioner Edwards tried to bring these to the attention of this Court in his Separate Argument in the Petition for Certiorari, Pages 19-30.

These procedural violations were never explained away by the Government, for, in fact, the violations which did occur were violations of the Air Force regulations. Judicial review was awarded in *Camero* v. *United States*, 375 F.2d 777 (Ct. Cl. 1967). Certainly, at the very least, Petitioner is entitled to a trial of the factual issues. *Weinberg* v. *Macy*, 360 F.2d 816 (CA, D.C. 1965).

What must this Petitioner do to spell out any more clearly the numerous patent procedural violations, in order for this Court to grant certiorari? It is so obvious that this case is on all fours with the rule of law set forth in *Service* v. *Dulles*, supra, that it defies further argument or explanation.

Petitioner Edwards respectfully submits that the following procedural violations are, ipso facto, reason in and of themselves to entitle him to a trial of the factual issues involved:

> Denial of Veterans Right to Answer Personally; Nonexistent Regulation Admittedly quoted in Letter of Proposed Removal. Repeated failure of Air Force to grant Grievance Hearings as provided by their own Regulations. Failure of Air Force to provide witnesses as provided in their own Regulations.

In the opinion of counsel for Petitioner, there is no question but any one of these procedural errors should compel

the reversal of the lower Court. The fact that all of these errors and violations occurred in one case has caused Petitioner Edwards to lose his job illegally. There is no question about this. THE AIR FORCE VIOLATED ITS OWN REGULATIONS. The lower Court must be reversed upon the authority of *Service* v. *Dulles*, supra.

CONCLUSION

For the reasons set forth in this petition for rehearing, as well as in the petition for certiorari previously filed, rehearing and certiorari should now be granted.

Respectfully submitted,

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CERTIFICATE OF COUNSEL

Pursuant to Rule 58, I hereby certify that the foregoing Petition for Rehearing is presented in good faith and not for delay, and is restricted to the grounds specified in paragraph 2 of Rule 58.

WILLIAM R. COEN